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8 Attorneys for Debtor

9 **UNITED STATES BANKRUPTCY COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

11 In re:

12 CAMMY LYNN MENDES,

13 Debtor.
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Case No. 8:25-bk-11756-SC

Chapter 7

EVIDENTIARY OBJECTIONS TO (1)
DECLARATION OF CHARLES
CARUAL AND (2) EXHIBITS
ATTACHED TO REPLY FILED BY
GREGG ROBERTS

Hearing:

Date: October 14, 2025
Time: 11:00 a.m.
Crtm: ZoomGov; 5C,
411 W Fourth St.,
Santa Ana, CA 92701

21 Debtor Cammy Lynn Mendes (“Debtor”) objects to the evidence of Gregg Roberts
22 submitted in (1) the Declaration of Charles Carual and (2) attached as Exhibits to Roberts’
23 Reply in Support of Objection to Claimed Exemption in Real Property. The Reply
24 improperly includes evidence that should have been included in the moving papers, not in a
25 reply brief. The following federal evidentiary objections also specifically apply:
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| 1 | Evidence | Objection |
| 2 | Paragraph 12 of the Carual Declaration: | Lack of Personal Knowledge. A witness |
| 3 | “12. In the alternative, on information and | may testify to a matter only if evidence is |
| 4 | belief, 14 th Century’s Pump It Up business | introduced sufficient to support a finding |
| 5 | generated revenue sufficient to make | that the witness has personal knowledge of |
| 6 | installment payments under the agreement, | the matter. FRE 602. The proponent of the |
| 7 | but Cammy intentionally caused or allowed | evidence must introduce evidence |
| 8 | such payments to be withheld, with no | sufficient, if believed, to support a finding |
| 9 | legitimate justification.” | by a reasonable trier of fact of personal |
| 10 | | knowledge of the matter related. |
| 11 | | |
| 12 | Paragraph 13 of the Carual Declaration: | Relevance. (FRE 401, 402). Evidence is |
| 13 | “13. Cammy and Ray both promised that | admissible only if it is relevant, i.e. it has |
| 14 | they would either get a second mortgage on | any tendency to make a fact more or less |
| 15 | their house or sell their house in order to | probable than it would be without the |
| 16 | generate sufficient revenue and make all the | evidence; and that fact is of consequence in |
| 17 | remaining payments within one year of the | determining the action. |
| 18 | down payment.” | |
| 19 | | Cammy did intend to repay the loan, and |
| 20 | | she did not know what her financial |
| 21 | | situation would be in the future. Moreover, |
| 22 | | she could not predict the financial hardships |
| 23 | | that would come in 2020. Her statements |
| 24 | | that she planned to pay the loan are |
| 25 | | irrelevant to whether she is entitled to a |
| 26 | | homestead exemption. |
| 27 | | |
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Paragraph 14 of the Carual Declaration:
“14. On information and belief, Cammy has
a criminal history including multiple
convictions, including at least one for
forgery, for which she served time.”

Relevance. (FRE 401, 402). Evidence is
admissible only if it is relevant, i.e. it has
any tendency to make a fact more or less
probable than it would be without the
evidence; and that fact is of consequence in
determining the action. Cammy’s criminal
record is irrelevant to whether she is entitled
to a homestead exemption. The criminal
conviction for which she completed all
obligations does not change the fact that
Roberts has a simple breach of contract
judgment against her, which includes no
finding of fraud and there are no facts to
support fraud.

Prejudice outweighs probative value. (FRE
403). Even relevant evidence may be
excluded if its probative value is
substantially outweighed by the danger of
unfair prejudice, confusion of the issues,
misleading the jury, undue delay, or waste
of time

In admissible character evidence. (FRE
404). FRE 404 prohibits the use of
evidence of a person’s character or prior
acts to prove that on a particular occasion
the person acted in conformity with that

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| 1 | | character. FRE 404(b) bars the use of prior |
| 2 | | crimes, wrongs, or acts to show propensity. |
| 3 | | |
| 4 | | Inadmissible Prior Conviction (FRE 609). |
| 5 | | Convictions for which more than 10 years |
| 6 | | have passed are admissible only if: “(1) its |
| 7 | | probative value, supported by specific facts |
| 8 | | and circumstances, substantially outweighs |
| 9 | | its prejudicial effect; and(2) the proponent |
| 10 | | gives an adverse party reasonable written |
| 11 | | notice of the intent to use it so that the party |
| 12 | | has a fair opportunity to contest its use.” |
| 13 | | No such notice was given, and the |
| 14 | | prejudicial effect outweighs any probative |
| 15 | | value. |
| 16 | Paragraph 15 of Carual Declaration. | Relevance. (FRE 401, 402). Evidence is |
| 17 | “15. Ray, despite serving as a principal in a | admissible only if it is relevant, i.e. it has |
| 18 | business that caters to children, had, on | any tendency to make a fact more or less |
| 19 | information and belief, previously been | probable than it would be without the |
| 20 | convicted on two charges as a sex | evidence; and that fact is of consequence in |
| 21 | offender.” | determining the action. |
| 22 | | |
| 23 | | Ray’s criminal record is irrelevant to |
| 24 | | whether <i>Cammy</i> is entitled to a homestead |
| 25 | | exemption. The alleged criminal conviction |
| 26 | | does not change the fact that Roberts has a |
| 27 | | simple breach of contract judgment against |
| 28 | | her, which includes no finding of fraud and |

there are no facts to support fraud.

Prejudice outweighs probative value. (FRE 403). Even relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, misleading the jury, undue delay, or waste of time

In admissible character evidence. (FRE 404). FRE 404 prohibits the use of evidence of a person's character or prior acts to prove that on a particular occasion the person acted in conformity with that character. FRE 404(b) bars the use of prior crimes, wrongs, or acts to show propensity.

Inadmissible Prior Conviction. (FRE 609). Convictions for which more than 10 years have passed are admissible only if: "(1) its probative value, supported by specific facts and circumstances, substantially outweighs its prejudicial effect; and(2) the proponent gives an adverse party reasonable written notice of the intent to use it so that the party has a fair opportunity to contest its use."

No such notice was given, and the

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| 1 | | prejudicial effect outweighs any probative |
| 2 | | value. |
| 3 | Paragraph 16 of the Carual Declaration. | Relevance. (FRE 401, 402). Evidence is |
| 4 | “16. If had known about Cammy's criminal | admissible only if it is relevant, i.e. it has |
| 5 | convictions, I would not have entered into a | any tendency to make a fact more or less |
| 6 | business deal that required me to trust her to | probable than it would be without the |
| 7 | make payments.” | evidence; and that fact is of consequence in |
| 8 | | determining the action. |
| 9 | | |
| 10 | | Carual’s opinion of the prior criminal |
| 11 | | convictions is irrelevant to whether Debtor |
| 12 | | is entitled to a homestead exemption. |
| 13 | Paragraph 17 of the Carual Declaration. | Relevance. (FRE 401, 402). Evidence is |
| 14 | “17. If I had known about Ray's criminal | admissible only if it is relevant, i.e. it has |
| 15 | convictions, I would not have authorized | any tendency to make a fact more or less |
| 16 | selling to him a business that caters to | probable than it would be without the |
| 17 | children.” | evidence; and that fact is of consequence in |
| 18 | | determining the action. |
| 19 | | |
| 20 | | Carual’s opinion of the alleged now 16 |
| 21 | | year-old criminal convictions is irrelevant to |
| 22 | | whether Debtor is entitled to a homestead |
| 23 | | exemption. |
| 24 | Exhibit 1 to the Reply (Docket No. 20). | Relevance. (FRE 401, 402). Evidence is |
| 25 | Case Summary for Case No. 09CM06307; | admissible only if it is relevant, i.e. it has |
| 26 | Petition to Terminate Sex Offender | any tendency to make a fact more or less |
| 27 | Registration. | probable than it would be without the |
| 28 | | |

1 And

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3 Exhibit 2 to the Reply.

4 Petition Checklist; Superior Court of
5 California, County of Orange MINUTES;

evidence; and that fact is of consequence in
determining the action.

Ray's criminal record is irrelevant to
whether *Cammy* is entitled to a homestead
exemption. The alleged criminal conviction
does not change the fact that Roberts has a
simple breach of contract judgment against
her, which includes no finding of fraud and
there are no facts to support fraud.

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| | <p>Inadmissible Prior Conviction. (FRE 609). Convictions for which more than 10 years have passed are admissible only if: “(1) its probative value, supported by specific facts and circumstances, substantially outweighs its prejudicial effect; and(2) the proponent gives an adverse party reasonable written notice of the intent to use it so that the party has a fair opportunity to contest its use.” No such notice was given, and the prejudicial effect outweighs any probative value.</p> |
| <p>Exhibit 3 to the Reply (Docket No. 20). Criminal Disposition Information.</p> | <p>Relevance. (FRE 401, 402). Evidence is admissible only if it is relevant, i.e. it has any tendency to make a fact more or less probable than it would be without the evidence; and that fact is of consequence in determining the action. Cammy’s criminal record is irrelevant to whether she is entitled to a homestead exemption. The criminal conviction for which she completed all obligations does not change the fact that Roberts has a simple breach of contract judgment against her, which includes no finding of fraud and there are no facts to support fraud.</p> <p>Prejudice outweighs probative value. (FRE</p> |

403). Even relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, misleading the jury, undue delay, or waste of time

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1 Exhibit 4 to the Reply (Docket No. 20).
2 Advanced Person Search Plus.

This Exhibit contains personal identifiers that should have been redacted, including Debtor's social security number and date of birth. Debtor moved to have the document removed from the Docket, but as of the date of this declaration, the Exhibit is still available for public viewing.

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9 This Exhibit contains personal information
10 of Debtor and all of her relatives. The dates
11 of birth of all of her family relatives is also
12 included. This information is irrelevant to
13 Debtor's homestead exemption. Debtor
14 believes that the information should not
15 only be excluded, but Roberts should be
16 sanctioned for filing it on a public docket.

17
18 Relevance. (FRE 401, 402). Evidence is
19 admissible only if it is relevant, i.e. it has
20 any tendency to make a fact more or less
21 probable than it would be without the
22 evidence; and that fact is of consequence in
23 determining the action. Cammy's criminal
24 record is irrelevant to whether she is entitled
25 to a homestead exemption. The criminal
26 conviction for which she completed all
27 obligations does not change the fact that
28 Roberts has a simple breach of contract

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2 finding of fraud and there are no facts to
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16 acts to prove that on a particular occasion
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22 Convictions for which more than 10 years
23 have passed are admissible only if: "(1) its
24 probative value, supported by specific facts
25 and circumstances, substantially outweighs
26 its prejudicial effect; and(2) the proponent
27 gives an adverse party reasonable written
28 notice of the intent to use it so that the party

has a fair opportunity to contest its use.”
No such notice was given, and the
prejudicial effect outweighs any probative
value.

DATED: October 6, 2025

RED HILL LAW GROUP

By: /s/ Bert Briones
BERT BRIONES attorney for DEBTOR
CAMMY LYNN MENDES